

To: Beeler, Cindy[Beeler.Cindy@epa.gov]
From: Ostendorf, Jody
Sent: Fri 1/9/2015 6:49:55 PM
Subject: EPA Message to Tribal Council re Air Quality and Next Steps

Yay, thanks for sending this to Minnie and Patrick. In my pre-brief (for the 1.29.15 UB briefing) with Carl and Monica yesterday, we talked about the idea of Shaun going over to meet with the Tribal Business Council and sending some strong messages:

- EPA wants to involve and work with the tribe on the EI development, but we are going to move forward regardless. Shaun can explain what the NAA designation means, and outline EPA's CAA roles/responsibilities, along with associated timelines for planning documents, and the schedule for attainment demonstration.
- With extended implementation wait times for the tribal minor source rule and attainment demonstrations, EPA does not want to wait to address the Basin's serious ozone problem. EPA would like to work with the tribe in approaching industry to discuss getting emission reductions on existing sources. To that end, we would like to invite O&G operators to a meeting to discuss getting voluntary reductions in place on tribal land, similar to what is being required on state land.
- If industry does not want to participate in a voluntary emission reduction strategy, EPA will consider a U&O-specific FIP for existing sources. The FIP would be implemented well in advance of the designations process in time to achieve early reductions that could lead to improved air quality in the Basin. This could prepare the Basin to receive a lower nonattainment classification, fewer restrictions on future O&G development and more flexibility in returning to attainment.

How does that sound to you Cindy? Carl asked me to put some key messages together for Shaun, based on yesterday's conversation, but I'd appreciate your inputs/suggestions.

I'm so glad we talked about having a meeting with operators over there. Hearing you suggest it made me realize it was possible. If there's a way we can do it inclusively with the tribe, it seems only fair to give industry a chance to step up, before taking the regulatory route. Carl liked the idea!

Cheers,

Jody

From: Beeler, Cindy
Sent: Friday, January 9, 2015 6:05 PM
To: Ostendorf, Jody; Minnie Grant (minnieg@utetribes.com); Patrick Barickman
Subject: WY to Regulate Ozone from Existing O&G Sources > 4TPY VOCs incl Quarterly Leak Detection &

Repair

You all may be aware of this, but in case not ...

Wyoming Air Quality Advisory Board Meeting

Ryan Dorgan | Star-Tribune

Air Quality Administrator Steven Dietrich, right, and members of the Department of Environmental Quality's Air Quality Advisory Board listen to public comments during a meeting concerning air quality regulations in the Upper Green River Basin on Wednesday at the Sublette County Public Library in Pinedale.

2014-12-11T06:00:00Z 2014-12-11T10:00:04Z Wyoming advisory panel approves plan for cutting ozone pollution near PinedaleBy BENJAMIN STORROW Star-Tribune staff writer Casper Star-Tribune Online

December 11, 2014 6:00 am • [By BENJAMIN STORROW Star-Tribune staff writer](#)

[\(0\) Comments](#)

PINEDALE -- In a precedent-setting move, a state advisory panel on Wednesday unanimously recommended a new rule aimed at curtailing ozone pollution in western Wyoming.

The recommendation marks the first time Wyoming has sought to regulate emissions from existing gas field infrastructure and followed years of often-contentious debate over how to bring the Upper Green River Basin back into compliance with federal health standards.

Sublette County and parts of Lincoln and Sweetwater counties recorded ozone levels above federal health standards on several occasions between 2008 and 2011. Ozone has been linked to respiratory ailments like asthma.

Natural gas production in the region is the primary source of emissions. The Upper Green River Basin is home to two of the largest natural gas fields in the country, the Jonah Field and the Pinedale Anticline.

"It sets us on an accelerated path to achieve attainment," said Steve Dietrich, air quality

administrator for the Wyoming Department of Environmental Quality. He noted that the state must be in compliance with federal standards by December 2015.

The proposed rule would require existing gas field equipment like wells, compressor stations and storage tanks, which annually emit more than four tons of volatile organic compounds -- pollutants that can create ozone under the right weather conditions -- to control 98 percent of all emissions.

The plan calls for quarterly leak detection inspections of those facilities and would phase out older equipment like open-top storage tanks.

That approach represents a change from the state's current regulatory approach. Wyoming now regulates air quality through permits on new or modified facilities.

The Upper Green River Basin was designated a nonattainment area by the U.S. Environmental Protection Agency in 2008. The state has proposed a series of fixes to bring the area back into compliance, including revised guidelines for new development and enhanced air quality monitoring.

But in a region where drilling has slowed, rules for existing infrastructure were always the most important and controversial aspect of that effort.

Wednesday's vote by the DEQ's Air Quality Advisory Board brought to a close the first chapter in a lengthy rule-making process for existing facilities.

The advisory board postponed an initial vote on the rule in August after industry raised concerns about the implementation date of January 2016. The most recent draft would go into effect in January 2017.

The proposal now moves to the Environmental Quality Council. If passed by the EQC, the plan would then go to Gov. Matt Mead for final approval.

Environmentalists and industry were generally supportive of the plan, but their comments to the board suggested the prospects of further fireworks when the EQC takes up the rule.

John Robitaille, vice president of the Petroleum Association of Wyoming, said the board should allow operators to seek a compliance extension if permitting problems with other government agencies or contractors arise.

Operators could be out of compliance with the rule through no fault of their own, he said. Still, Robitaille added that "we continue to support the idea behind the rule."

Environmentalists pushed for a lower pollution threshold, saying the majority of infrastructure in the area falls below the four tons per year threshold.

They noted that a proposal by the EPA to lower the current ozone standard from 70

parts per billion to a range between 65 and 70 ppb means that more emission reductions are needed.

But like industry, they expressed approval of the outcome of Wednesday's meeting.

"We think the citizens of the Upper Green River Basin deserve to see this regulation move forward. They deserve the protections these regulations provide," said Bruce Pendery, an attorney for the Wyoming Outdoor Council.

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